

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,      )  
                                Plaintiff,      )      CASE NO. 07-187M  
v.    )  
DUC MINH TRAN,                      )      DETENTION ORDER  
                                Defendant.      )  
    )  
    )

Offense charged in the Eastern District of Washington:

Conspiracy to Manufacture Marijuana, in violation of Title 21, U.S.C., Section 846.

Date of Detention Hearing: April 17, 2007

The Court conducted both a detention hearing pursuant to Title 18 U.S.C. § 3142(f) and a preliminary Rule 5(c)(3) inquiry. The defendant waived his rights to a full Rule 5(c)(3)(D) hearing and the Court signed an order of transfer to the originating district court in the Eastern District of Washington to answer the charges. The detention hearing was uncontested, and the defendant may re-open the matter of detention in the Eastern District of Washington. The Court finds that, based upon the factual findings and statement of reasons for detention hereafter set forth, no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by

1 Sarah Vogel. The defendant was represented by Walter Palmer.

2 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

3 (1) Count I involves a conspiracy drug offense. The maximum penalty is in  
4 excess of ten years. There is therefore a rebuttable presumption against  
5 the defendant's release based upon both dangerousness and flight risk,  
6 under Title 18 U.S.C. § 3142(e).

7 (2) The defendant does not contest detention at this time.

8 **It is therefore ORDERED:**

- 9 (1) Defendant shall be detained pending trial and committed to the custody of the  
10 Attorney General for confinement in a correctional facility separate, to the extent  
11 practicable, from persons awaiting or serving sentences, or being held in custody  
12 pending appeal;
- 13 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
14 counsel;
- 15 (3) On order of a court of the United States or on request of an attorney for the  
16 Government, the person in charge of the correctional facility in which Defendant  
17 is confined shall deliver the defendant to a United States Marshal for the purpose  
18 of an appearance in connection with a court proceeding; and
- 19 (4) The clerk shall direct copies of this order to counsel for the United States, to  
20 counsel for the defendant, to the United States Marshal, and to the United States  
21 Pretrial Services Officer.

22 DATED this 18<sup>th</sup> day of April, 2007.

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MONICA J. BENTON  
United States Magistrate Judge

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DETENTION ORDER  
PAGE -3-